



11/24/08 - Copied to C. Major, C. Attorney,  
Public Works Director

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

~~RECEIVED~~  
~~2008 NOV 20 AM 12:47~~  
~~OFFICE OF THE CITY CLERK~~

NOV 20 2008

CERTIFIED MAIL 7005 3110 0002 5134 4336  
RETURN RECEIPT REQUESTED

The Honorable Tom Beehan  
Mayor, City of Oak Ridge  
200 South Tulane Avenue  
P.O. Box 1  
Oak Ridge, Tennessee 37830

RECEIVED  
2008 NOV 24 PM 3:03  
OFFICE OF THE CITY CLERK

Re: Information Request - Section 308 of the Clean Water Act  
NPDES Permit No. TN0024155 and TN0024171  
Oak Ridge and Clinch River Wastewater Treatment Plants (WWTPs)

Dear Mayor Beehan:

Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, the Environmental Protection Agency (EPA) hereby requests the City of Oak Ridge (the City) to provide the information set forth in Enclosure A regarding the WWTPs noted above and their associated sanitary sewer collection systems. The City is required to respond to this information request within thirty (30) days of its receipt of this letter. The response should be directed to:

Mr. Dennis Sayre  
United States Environmental Protection Agency, Region 4  
Water Programs Enforcement Branch  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303-8960

The City's response to this information request should specifically reference the particular section and number of the request and should be organized for the purpose of clarity. In addition, all information submitted must be accompanied by the following certification signed by a responsible City official in accordance with 40 C.F.R. § 122.22:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to comply with this information request may result in enforcement proceedings under Section 309 of the CWA, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response to the requested information.

The City shall preserve until further notice all records (either written or electronic) which exist at the time of receipt of this letter that relate to any of the matters set forth in this letter. The term "records" shall be interpreted in the broadest sense to include information of every sort. The response to this information request shall include assurance that these record protection provisions were put in place, as required. No such records shall be disposed of until written authorization is received from the Chief of the Water Programs Enforcement Branch at the U.S. EPA, Region 4.

If you believe that any of the requested information constitutes confidential business information, you may assert a confidentiality claim with respect to such information except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

Also enclosed is a document entitled *U.S. EPA Small Business Resources-Information Sheet* which may assist you in understanding the compliance assistance resources and tools available to the facility. However, any decision to seek compliance assistance at this time does not relieve the City of its obligations to EPA or the Commonwealth of Kentucky, does not create any new rights or defenses, and will not affect EPA's decision to pursue enforcement action. In addition, the Securities and Exchange Commission (SEC) requires its registrants to periodically disclose environmental legal proceedings in statements filed with the SEC. To assist you, EPA has also enclosed a document entitled *Notice of Securities and Exchange Commission Registrants' Duty to Disclose Environmental Legal Proceedings*.

If you have questions regarding this notice and information request, please feel free to contact Mr. Dennis Sayre at (404) 562-9756.

Sincerely,

A handwritten signature in black ink that reads "Douglas F. Mundrick for". The signature is written in a cursive, somewhat stylized font.

Douglas F. Mundrick, P.E., Chief  
Water Programs Enforcement Branch  
Water Management Division

Enclosures (4)

cc: Mr. Paul E. Davis, P.E., Director  
Water Pollution Control, TDEC

## ENCLOSURE A

### SSO PROGRAM

1. Provide the following:
  - a. The size of the City's Sanitary Sewer Collection System (SSS) (linear feet or miles);
  - b. A list of the pump stations in the SSS, including size (gpm), and indicate if back up power is available and if it is adequate to fully operate the pump station;
  - c. A list of all constructed overflow points in the SSS (including pump stations) prior to the headworks of the City's WWTPs;
  - d. The average design flow of the City's WWTPs;
  - e. The peak design flow of the City's WWTPs;
  - f. The annual average flow of the City's WWTPs; and
  - g. The population served by the City's WWTPs and their respective SSS.
  
2. For purposes of this Information Request, a sanitary sewer overflow (SSO) is an overflow, spill, release, or diversion of wastewater from the SSS. SSOs include overflows or releases of wastewater that reach waters of the United States (US); overflows or releases of wastewater that do not reach waters of the US; and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral. Wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned is not an SSO.

Provide a listing of all SSOs that occurred in the past five (5) years. For each SSO provide the following, if available:

- a. Date(s) of the SSO;
  - b. Time (and Date if other than a. above) when the City was notified that the SSO event occurred;
  - c. Time (and Date if other than a. above) when the City (or contractor) crew responded to the SSO;
  - d. Time (and Date if other than a. above) when the SSO ceased;
  - e. Time (and Date if other than a. above) when corrective action was completed;
  - f. Location of the SSO, including source (pump station, manhole, etc.);
  - g. Ultimate destination of the SSO, such as surface waterbody (by name), storm drain leading to surface waterbody (by name), dry land, building, etc.;
  - h. Volume of the SSO;
  - i. Cause of the SSO such as grease, roots, other blockages, wet weather (infiltration and inflow), loss of power at pump station, pump failure, etc.;
  - j. Corrective actions taken to stop the SSO; and
  - k. Corrective actions taken to prevent this or similar SSOs in the future.
- 
3. Does the City have a formal written plan for responding to, addressing, and reporting SSOs (i.e. a Sewer Overflow Response Plan)? If so:

- a. What procedures are in place to document SSOs? Is all of the information in Question 2 above included?
- b. What procedures are in place to estimate SSO volume?
- c. What procedures are in place to identify root causes of SSOs?
- d. What procedures are in place to contain and clean up SSOs?
- e. What procedures are in place to address wastewater backups into buildings caused by mainline problems?
- f. What procedures are in place to identify wet weather related SSOs and reconnaissance of these during rain events?
- g. What procedures are in place for 24-hour reporting of SSOs to the permitting authority, the State of Tennessee?
- h. What procedures are in place for monthly reporting of SSOs to the permitting authority, the State of Tennessee?
- i. Is there a person or position responsible for each of the above activities?